

# **OFFICIAL MINUTES**

**October 18, 2010, 6<sup>th</sup> DAY OF  
THE OCTOBER ADJOURN TERM**

The County Commission met in The Commissioner's Hearing Room at 9:00 AM with Chuck Pennel, Danny Strahan and Jim Strafuss present. The following proceedings were had and made a matter of record:

## **PRAYER & PLEDGE OF ALLEGIANCE**

Commissioner Strafuss led the prayer and Pledge of Allegiance.

## **PREVIOUS MEETING MINUTES**

Commissioner Strafuss moved to table the approval of minutes until 1:00 pm. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

## **ACCOUNTS PAYABLE**

Commissioner Strafuss moved to table accounts payable until 1:00 pm. Commissioner Pennel seconded the motion. After discussion, Commissioner Strafuss withdrew his motion. Commissioner Pennel withdrew his second.

## **PUBLIC COMMENT**

There were no public comments.

## **NEW/OLD BUSINESS**

### **BRANSON SCHOOLS UPDATE**

Dr. Doug Hayter updated the Commission on changes within the Branson schools, including: growth in student numbers, construction and building plans, future division of the district, the 2010 levy setting process, and their reception of the Distinction in Performance Award from the State of Missouri.

## **ROAD VACATIONS**

The Commission showed that the vacation petition for a "portion of an unnamed alley" was submitted for the January term.

Bill McCullough, appearing for the petitioners, presented the letters from the utility and services companies stating that those businesses had no further development plans for Normal and West Streets.

Commissioner Strahan moved to accept the vacation of a portion of Normal Street and West Street. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

Commissioner Strafuss moved to vacate Mountain Drive and Meadow Drive as presented. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

## **PLANNING & ZONING**

Commissioner Pennel expressed his concerns with misinformation about Planning & Zoning being disseminated to the public. He stated that the primary concern he has heard from the public on the Code Book is in relation to the land disturbance permit, which is directly related to State law. He described what the purpose of that permit was, and why the petitioner is required to pay a fee and a bond to receive it.

Commissioner Strafuss expressed that he had not heard any concerns from the public that were in addition to those previously known.

Commissioner Strahan stated that when the number of disgruntled citizens is high enough to pass a petition it is the responsibility of the Commission to review the Code line by line. He further expressed that as a Conservative Republican it is his belief that less regulation is needed.

Assessor James Strahan discussed the history of Planning & Zoning in the 1960's, how it was started with the intent of building an airport and involved condemnation of several farm properties. He stated that from the 1960's to the 1990's it was not required for an individual who owned agricultural property to attain a permit to build a home on it.

Don Ehrhardt commented on the land disturbance permit statements of Commissioner Pennel. He stated that if a citizen does not attain a permit properly then the Planning & Zoning department will come out to the property and turn the owner into the State; after which you will have to pay a \$300.00 fine and can be fined additionally.

Commissioners Pennel and Strafuss asked that there be patience from the public in the review and correction process. They both stated that the Commission had previously had surveyors and contractors work them before on the County codes.

Bob Schanz presented a copy of a letter regarding a current Planning & Zoning appeal in his neighborhood to the Commission, and stated that he was in support of the abolishment of Planning & Zoning.

The Commission discussed setting a work session on duplexes for the following Monday. They directed Nikki Lawrence to work on scheduling it.

Commissioner Strahan suggested scheduling work sessions where the Commission would work through the Code Book line by line.

Sherri Veltkamp expressed her concern that the practicality of the needs of the people would be missed if work sessions were focused around the legalistic inclusion of attorneys and surveyors only. She suggested the inclusion of a panel of citizens who could contribute real-world opinions.

Commissioner Strafuss informed the public on the FEMA flood mapping process and the notification cards that were sent by the County in the mail to all property owners whose parcels touch the newly mapped plain. He announced the time of the FEMA map review meeting as October 26<sup>th</sup> from 10:00 am – 2:00 pm.

**RECESS  
10:33 AM**

**RECONVENED  
10:42 AM**

**ACCOUNTS PAYABLE**

Commissioner Strafuss moved to approve accounts payable as follows:

| DATE   | 10/18/2010 |      |      |
|--------|------------|------|------|
| CHECKS | WARRANTS   |      |      |
| 321881 | 321885     | 5280 | 5281 |
| 321886 | 321946     | 5282 | 5283 |
| 321947 |            | 5284 | 5285 |
|        |            | 5286 | 5287 |
|        |            | 5288 |      |

Please sign and date that you have reviewed the included information.

| Date       | Time    | Comments |
|------------|---------|----------|
| 10/15/2010 | 12:30PM | JJ       |

Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (nay), Strahan (aye) and Strafuss (aye).

**ADMINISTRATIVE & DEPARTMENTAL FUNCTIONS**

**MERCY HEALTH PLANS RENEWAL**

**. EXECUTIVE SESSION – LITIGATION, REAL ESTATE & PERSONNEL PER SECTION 610.021(1)(2) & (3)**

Commissioner Strahan moved to go into Executive Session pursuant to RSMo. 610.021 (12). Commissioner Strafuss seconded the motion. The motion passed by roll call vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**EXECUTIVE SESSION  
10:46 AM**

See Executive Session minutes for actions if any.

Commissioner Strafuss moved to go out of Executive Session. Commissioner Pennel seconded the motion. The motion passed by roll call vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**OUT OF EXECUTIVE  
11:18 PM**

**TANEY COUNTY PARKS**

County Commissioners discussed the idea of creating a park at the Big Rock swimming hole area in Walnut Shade on Bull Creek.

Park Board members and the Commission discussed plans on acquiring Oremus land to build a County park on.

Commissioner Strahan expressed his concerns on the parking issues at Alexander Park, and requested that if a new County park were to be built that parking would be adequately provided for.

There was discussion on replacing the American flag at Mincy Park.

**ASI BENEFIT**

Dawn Bilyeu with the Auditor's office discussed the desire of employees for a Flex Plan credit card which could be used for simplified payments.

Commissioner Strafuss moved to adopt the ASI Flex Program annual agreement with the County not picking up any fee as to the additional cost for the debit card. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**ECONOMIC DEVELOPMENT EXECUTIVE DIRECTOR VACANCY**

The Commission agreed to shorten the open days for the Executive Director job application to October 31, 2010.

Commissioner Strafuss moved to table the Bob Paulson and Nikki Lawrence sessions to 1:00 pm. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**RECESS  
12:00 PM**

**RECONVENED  
1:00 PM**

**NIKKI LAWRENCE – WORK SESSION W/ COMMISSION**

**AGENDA REVIEW**

The Commission reviewed the agenda.

The Commission discussed what topics to discuss during the Code Book work sessions.

**NUISANCE CASES**

Nikki Lawrence presented the requested Contract for Deed on nuisance case #10-0818 to the Commission for their review. The Commission directed Bob Paulson to review the contract.

Commissioner Pennel moved to advance nuisance case #10-0818 according to Mr. Paulson's direction. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**T HWY SEWER PROJECT**

Jennifer Schmolky owner of a local mobile home park, came to the Commission with a Sewer District issue relating to the cost of the T Hwy Sewer Project and the installation of sewer on her property.

**REFUND ABATEMENTS**

Commissioner Pennel moved to approve the following personal property refund abatements: 20100341, 0340, 0362, and 0361. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

**STAFF DEPARTMENTAL MEETING – ROAD & BRIDGE**

**PARK LANE**

Commissioner Pennel moved to take Park Drive into the County road system. Commissioner Strafuss seconded the motion. The motion passed by vote: Pennel (aye), Strafuss (aye) and Strahan (aye).

Frank Preston updated the Commission on the following: the system Road & Bridge uses to dispose of tires, the micro-sealing program, the K-Dock project, and the payment of an insurance claim.

Commissioner Strafuss left the meeting at 2:30 pm.

Presiding Commissioner Pennel declared a recess.

**RECESS**  
**2:32PM**

The minutes were taken and typed by Cristy Smith, Deputy Clerk.